



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

DEC 29 1999

OFFICE OF THE
REGIONAL ADMINISTRATOR

MEMORANDUM

To: Reid Wilson, Chief of Staff
From: Felicia Marcus *John W. Wilson for*, Regional Administrator, Region 9
Through: J. Charles Fox, Assistant Administrator, Office of Water
Re: Bay-Delta Accord Extension

The extension of the Bay-Delta Accord that is currently in force expires on December 31, 1999. Thus, the Accord needs to be extended one final time before the Programmatic Environmental Impact Statement on the CALFED long-term program is approved, and before the Record of Decision on the program is to be signed next summer. This memorandum recommends that the Administrator sign the attached extension. The only provision of the Accord that actually would expire if not extended is the agreement that new biological opinions under the Endangered Species Act will result in no additional loss of water during this period. Therefore, as with the past two extensions, this extension does not directly affect EPA, either in terms of actions to be authorized or obligations to be fulfilled. However, the provision remains symbolically important to EPA for continued commitment of all federal and state entities to the CALFED process until the Record of Decision gets signed.

Previous extensions were for an entire calendar year. As the Record of Decision is scheduled to be signed in June of 2000, it would not be appropriate to have such a lengthy time period for this extension. This extension is to be in effect until the Record of Decision is signed, but in no case later than September 15, 2000. That allows for a slight delay in the signing of the Record of Decision, but conveys the seriousness of the expectation that the long-term program will be agreed to during next summer.

Attachment

Extension of Principles for Agreement
on Bay-Delta Standards between
the State of California and the United States

The representatives of California and the United States agree to extend their commitments described in the Bay-Delta Accord signed on December 15, 1994 entitled "Principles for Agreement on Bay-Delta Standards between the State of California and the Federal Government" until execution of the Record of Decision and Certification of the CALFED Bay-Delta Final Programmatic Environmental Impact Statement and Environmental Impact Report. In no event, however, shall this extension continue beyond September 15, 2000.

Signed and dated:

Mary Nichols
Secretary, California Resources Agency

Date

Winston Hickox
Secretary, California Environmental Protection Agency


Date

Bruce Babbitt
Secretary, United States Department of the Interior

Date

William Daley
Secretary, United States Department of Commerce

Date



Carol Browner
Administrator, United States Environmental Protection Agency

DEC 29 1999
Date